

414 Rec'd PCT/PTO 28 NOV 2000

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		TTID/NEWS DOCKET NUMBER 09/555,718
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		5727-65998
INTERNATIONAL APPLICATION NO. PCT/US98/25850	INTERNATIONAL FILING DATE 04 December 1998	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/555,718
		PRIORITY DATE CLAIMED 04 December 1997
TITLE OF INVENTION INSTRUMENT SETUP UTILITY PROGRAM		
APPLICANT(S) FOR DO/EO/US: BATMAN, Carol Jane; BYRD, Nancy Kennedy; D'SHOP, Timothy J.; HENDERSON, Les G.; HOPKINSON, Patricia A., et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 16. below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> 1. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) 2. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) 3. Petition for Extension of Time 4. Check in the Amount of \$1,390.00 for four-month extension </p>		

US APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO	ATTORNEY'S DOCKET NUMBER																
09/555,718	PCT/US98/25850	5727-65998																
<p>17. <input type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,000</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$ 860</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 710</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 690</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100</p>		CALCULATIONS PTO USE ONLY																
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$																
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		PAID 02-June 2000																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>X \$18.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>X \$80.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$270.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =		X \$18.00	Independent claims	- 3 =		X \$80.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE															
Total claims	- 20 =		X \$18.00															
Independent claims	- 3 =		X \$80.00															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00															
TOTAL OF ABOVE CALCULATIONS =		\$																
<p>Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).</p>		\$																
SUBTOTAL =		\$																
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>		\$																
TOTAL NATIONAL FEE =		\$																
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>		\$																
TOTAL FEES ENCLOSED =		\$																
<input type="checkbox"/> Amount to be: refunded charged		\$																
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>10-0435</u>. A duplicate copy of this sheet is enclosed.</p>																		
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																		
<p>SEND ALL CORRESPONDENCE TO:</p> <p>CONARD, Richard D. BARNES & THORONBURG 11 South Meridian Street Indianapolis, IN 46204 US</p>																		
<p style="text-align: right;"><u>Richard Conard</u></p> <p>SIGNATURE: <u>Richard D. Conard</u></p> <p>NAME: <u>27321</u></p> <p>REGISTRATION NUMBER</p>																		

Express Mail No. EL50445595US

PTO/PCT Rec'd 28 NOV 2000

Mailed: 20 November 2000

#3

BARNES & THORNBURG

11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313

9 / 555718

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: Unknown

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Attorney

Docket: 5727-65998

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Applicant: BATMAN, Carol Jane; BYRD Nancy
Kennedy; DISHOP, Timothy J.;
HENDERSON, Les G.; HOPKINSON,
Patricia A.; MOAK, Stephen E.;
PARKER, James R.; POLASKI,
Frank M.; SHEARER, Atwell R.;
TETZLAFF, Tracy L.; SLY, Lynne
Denise; KLEM, Kurt Gerard

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Invention: INSTRUMENT SETUP UTILITY
PROGRAM

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U.S. Serial No: 09/555,718

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International Serial No: PCT/US98/25850

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International Filing Date: 04 December 1998
(04.12.98)

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Earliest Priority Date: 04 December 1997
(04.12.97)

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RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US)

Attention: DO/EO/US
Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US) mailed 30 June 2000 (30.06.00),
applicants submit herewith:

1. eight (8) counterpart executed Declaration and Power of Attorney--Patent Application forms signed by applicants;
2. copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
3. Petition for Extension of Time and attendant fee of \$1,390.00

The surcharge fee of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date was paid on 02 June 2000 (02.06.00).

However, in the event a fee is due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0435. A duplicate of this Response is enclosed.

Respectfully submitted,



Richard D. Conard,
Atty. Reg. No. 27321,
Attorney for Applicants

Attachments: Eight Executed Counterpart Declaration and Power of Attorney--Patent Application Forms
Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
Petition for Extension of Time (2 sheets in Duplicate)
Copy of Response to Notification of Missing Requirements

RDC/mje/28082
Indianapolis, Indiana 46204
(317) 231-7285